

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLOS MARTINEZ,

Plaintiff,

v.

DEBORAH SAN JUAN, et al.,

Defendants.

No. 1:21-cv-00146-DAD-EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

(Doc. No. 10)

Plaintiff Carlos Martinez is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 42 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 6, 2021, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's first amended complaint be dismissed without further leave to amend. (Doc. No. 10 at 13.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within twenty-one (21) days from the date of service. (*Id.*) On May 24, 2021, plaintiff filed his objections. (Doc. No. 11.) Therein, plaintiff repeats the same arguments that were thoroughly addressed by the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including plaintiff's

1 objections, the court concludes that the magistrate judge's findings and recommendations are  
2 supported by the record and proper analysis.

3 Accordingly,

- 4 1. The findings and recommendations issued on May 6, 2021 (Doc. No. 10) are  
5 adopted in full;
- 6 2. Plaintiff's first amended complaint is dismissed, without further leave to amend;  
7 and
- 8 3. The Clerk of the Court is directed to close this case.

9 IT IS SO ORDERED.

10 Dated: **June 9, 2021**

11   
12 \_\_\_\_\_  
13 UNITED STATES DISTRICT JUDGE  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28